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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 JACK PERSHING SEXTON,  
10  
11 Petitioner,  
12 v.  
13 UNITED STATES OF AMERICA,  
14 Respondent.

Case No. C16-412RSL

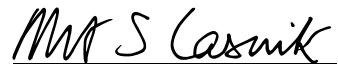
ORDER DENYING MOTION FOR  
RECONSIDERATION

15 This matter comes before the Court on petitioner Jack Pershing Sexton's motion for  
16 reconsideration. Dkt. # 21. Motions for reconsideration are disfavored and will be granted only  
17 on a "showing of manifest error in the prior ruling" or "new facts or legal authority which could  
18 not have been brought to [the Court's] attention earlier with reasonable diligence." LCR 7(h)(1).

19 Petitioner argues that the Supreme Court's decision in Sessions v. Dimaya, 138 S. Ct.  
20 1204 (2018), undermines the Ninth Circuit's holding in United States v. Watson, 881 F.3d 782  
21 (9th Cir. 2018) (per curiam), which was a basis for the Court denying petitioner relief here.  
22 Dimaya did not undermine Watson. Dimaya involved a "crime of violence" determination that  
23 proceeded from the relevant statute's "residual clause," whereas Watson (like petitioner's case)  
24 involved a determination that the relevant crime had as an element the use of force. See Dimaya,  
25 138 S. Ct. at 1211 & n.1 (distinguishing its determination from "elements clause" cases). The  
26 Tenth Circuit's decision in United States v. Salas, 889 F.3d 681 (10th Cir. 2018), which  
27 petitioner also cites, likewise involved residual-clause language unlike the issue here. Finally,  
28 nothing in Dimaya saves petitioner's claim regarding the U.S. Sentencing Guidelines. Petitioner

1 has not shown “manifest error” or “new facts or legal authority” that merits reconsideration of  
2 the Court’s order. See LCR 7(h)(1). For that reason, petitioner’s motion for reconsideration, Dkt.  
3 # 21, is DENIED.

4 DATED this 9th day of July, 2018.

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8 Robert S. Lasnik  
9 United States District Judge  
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